

Stephen Pursley,  
Plaintiff

vs.

Ed Lake, in his official capacity as  
Director of the Oklahoma Department of  
Human Services.,  
Defendant

Case No. CIV-16-14-R

\_\_\_\_ **TRIAL DOCKET**

**SCHEDULING ORDER**

Date 5/3/16 Judge DAVID RUSSELL Clerk Janet Wright

Appearing for Plaintiff David Sigale, by telephone

Appearing for Defendant Richard Freeman

**THE FOLLOWING DEADLINES ARE SET BY THE COURT**

1. Motions to join additional parties to be filed w/i  
\_\_\_\_\_.

2. Motions to amend pleadings to be filed w/i  
\_\_\_\_\_.

3. (a) Plaintiff to file a final list of expert  
witness(es) in chief and submit expert reports to  
defendant by \_\_\_\_\_.\*

(b) Defendant to file a final list of expert  
witness(es) in chief and submit expert reports to  
plaintiff by \_\_\_\_\_.\*

4. (a) Plaintiff to file a final list of witnesses,  
together with addresses and brief summary of  
expected testimony where a witness has not  
already been deposed by \_\_\_\_\_.\*

(b) Defendant to file a final list of witnesses (as  
described above) 14 days thereafter.\*

5. Plaintiff to file a final exhibit list by:  
\_\_\_\_\_.\* Defendant to file  
objections to Plaintiff's final exhibit list, under  
Fed. R. Civ. P. 26(a)(3)(B), by \_\_\_\_\_.

Defendant to file a final exhibit list by.\* Plaintiff  
to file objections to Defendant's final exhibit list,  
under Fed. R. Civ. P. 26(a)(3)(B), by 14 days  
thereafter.

**\*The listing of witnesses and exhibits  
shall separately state those expected to be  
called or used and those which may be called  
or used if the need arises. Except for good**

**cause shown, no witness will be permitted to  
testify and no exhibit will be admitted in any  
party's case in chief unless such witness or  
exhibit was included in the party's filed  
witness or exhibit list.**

6. Discovery to be completed by 8/4/16.

7. Cross Motions for Summary Judgment to be filed  
by 9/4/16.

If the deadline for dispositive motions and  
*Daubert* motions precedes the discovery deadline,  
the parties are expected to conduct any discovery  
necessary for such motions in advance of the  
motion deadline.

8. Trial docket\_\_\*\*

**\*\*Trial dockets generally begin the second  
TUESDAY of each month; however, this  
practice varies, particularly during holidays.  
The published trial docket will announce the  
trial setting.**

The interval between the dispositive motion  
deadline (¶ 7) and the trial docket (¶ 8) is  
relatively inflexible. An extension of time to file  
or respond to a motion for summary judgment  
will likely affect the trial setting.

9. Designations of deposition testimony to be used  
at trial to be filed by \_\_\_\_\_. Objections  
and counter-designations to be filed by \_\_\_\_\_.

10. Motions in limine to be filed by \_\_\_\_\_
11. Requested voir dire to be filed by \_\_\_\_\_  
.
12. Trial briefs (optional unless otherwise ordered) to be filed by \_\_\_\_\_.
13. Requested jury instructions to be filed on or before \_\_\_\_\_.\*\*\*
14. NON-JURY CASES ONLY: Proposed findings and conclusions of law to be filed no later than \_\_\_\_\_.\*\*\*
15. Any objection or responses to the trial submissions referenced in 10, 11, 12, 13, or 14 to be filed within five (5) days thereafter.
16. Proposed final pretrial report, approved by all counsel, **and in full compliance** with Local Rules (see Appendix IV), together with a proposed order approving the report, to be submitted to the Court by \_\_\_\_\_.

**\*\*\*In addition to filing, the parties are encouraged, but not required, to submit their proposed jury instructions or findings of fact and conclusions of law in WordPerfect format to the Clerk via the Court's designated mail box: [russell-orders@okwd.uscourts.gov](mailto:russell-orders@okwd.uscourts.gov)**

17. This case is referred to the following Court-sponsored ADR/settlement process or special trial track:

\_\_\_\_\_ by agreement of the parties, with the approval of the Court:  
\_\_\_\_\_ by Order of the Court:

\_\_\_\_\_ Mediation  
\_\_\_\_\_ Judicial Settlement Conference  
\_\_\_\_\_ Other \_\_\_\_\_

If the case is referred to mediation or some other form of private ADR, the process shall be completed and a report filed with the Court by the parties, stating whether the case settled, not later than \_\_\_\_\_.

18. Except as may be otherwise specifically ordered by the assigned judge, this case will not be scheduled for a judicial settlement conference unless, within ten calendar days after the trial docket is published, the parties file a joint motion requesting a judicial settlement conference. The motion shall provide reasons justifying the commitment of court resources to the settlement process, and shall describe the reasons for which efforts to settle the case by other means have been unsuccessful.
19. \_\_\_\_\_ The parties consent to trial by a Magistrate Judge.
20. Initial disclosure pursuant to Fed. R. Civ. P. 26 has been made \_\_\_\_\_; is excused \_\_\_\_\_; or shall be made no later than \_\_\_\_\_.
21. Other: \_\_\_\_\_

BY ORDER OF THE COURT  
CARMELITA REEDER SHINN, CLERK

By \_\_\_\_\_s/Janet Wright  
Deputy Clerk